

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: :
 :
DANIEL CARROLL : Case No. 24-11836-AMC
 :
 :
 :

STREET ROAD PARTNERS LLC, :
SERIES 3 :
 :
Plaintiff, : ADVERSARY NO. 24-00113-AMC
 :
 :
v. :
 :
 :
DANIEL CARROLL, :
 :
 :
Defendant. :

**PLAINTIFF STREET ROAD PARTNERS, LLC SERIES 3, MOTION TO DISMISS
DEFENDANT'S COUNTERCLAIM PURSUANT TO FEDERAL RULE OF CIVIL
PROCEDURE 12(b)(6) FOR FAILURE TO STATE A CLAIM UPON
WHICH RELIEF CAN BE GRANTED**

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, made applicable in bankruptcy proceedings by Federal Rule of Bankruptcy Procedure 7012(b), Plaintiff, Street Road Partners LLC, Series 3 ("Street Road"), by and through its undersigned counsel, hereby respectfully submits this Motion to Dismiss the Counterclaim of Defendant, Daniel Carroll. In support of the Motion, Plaintiff relies on the accompanying Memorandum of Law and exhibits thereto.

Respectfully submitted,

GREEN, SILVERSTEIN, & GROFF, LLC

By: /s/Joseph B. Silverstein
Joseph B. Silverstein, Esquire
Daniel P. Muklewicz, Esquire

Attorney for Creditor/Plaintiff
215 S. Broad Street, 5th Floor
Philadelphia, PA 19107
(215) 972-5520
jsilverstein@gsglawfirm.com
dmuklewicz@gsglawfirm.com

Date: November 27, 2024